

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

SHARRON DENISE ROCKINGHAM

PLAINTIFF

V.

CIVIL ACTION NO.: 3:20-CV-94-DPJ-FKB

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION

DEFENDANT

ORDER

Plaintiff Sharron Denise Rockingham seeks review pursuant to 42 U.S.C. § 405(g) of a final decision by the Social Security Administration denying her claim for supplemental security income payments. The matter is now before the Court on the Report and Recommendation [17] of United States Magistrate Judge F. Keith Ball on the Commissioner's motion to affirm [15].

The Administrative Law Judge (ALJ) assigned to Rockingham's case found that Rockingham was not disabled, and the Appeals Council denied review. R&R [17] at 1. Judge Ball determined that the ALJ applied the appropriate legal standard and examined the totality of the record. *Id.* at 8–9. While that record reflects conflicting evidence, it is ultimately the Commission's province to weigh the evidence. *Chambliss v. Massanari*, 269 F.3d 520, 523 (5th Cir. 2001). Its decision will not be overturned so long as it is supported by "substantial evidence." 42 U.S.C. § 405(g). Judge Ball found such support here. R&R [17] at 8–9.

Rockingham filed no objections to the Report and Recommendation, and the time to do so has now passed.¹ The Court, having fully reviewed the unopposed Report and Recommendation [17], finds that it should be adopted as the opinion of this Court.

¹ Rockingham also did not file a response to the Commissioner's motion to affirm.

IT IS, THEREFORE, ORDERED that the Report and Recommendation [17] of United States Magistrate Judge F. Keith Ball be adopted as the finding of the Court. The Commissioner's motion to affirm [15] is granted. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 19th day of August, 2021.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE